

Message Text

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PAGE 01 STATE 115898

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ORIGIN DLOS-07

INFO OCT-01 AF-10 NEA-14 IO-14 ISO-00 CG-00 CIAE-00

DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07 PA-04

RSC-01 PRS-01 SP-03 SS-20 USIA-15 ACDA-19 AEC-11

AGR-20 FEA-02 DOTE-00 FMC-04 INT-08 JUSE-00 OMB-01

TRSE-00 CEQ-02 COA-02 COME-00 EB-11 EPA-04 NSF-04

SCI-06 /214 R

DRAFTED BY DOD:JADUGGER:LB

APPROVED BY D/LOS - STUART H. MCINTYRE

D/LOS:JNMOORE

AF/E - GGAY

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FM SECSTATE WASHDC

TO AMEMBASSY NAIROBI

INFO AMEMBASSY ADDIS ABABA

AMEMBASSY DAR ES SALAAM

AMEMBASSY LAGOS

AMEMBASSY KINSHASA

AMEMBASSY ABIDJAN

AMEMBASSY NEW DELHI

AMEMBASSY KUWAIT

AMEMBASSY TEHRAN

USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 115898

USUN FOR STEVENSON; BANGKOK FOR OXMAN

E.O. 11652:GDS

TAGS: PBOR

SUBJECT: LOS: MEETING WITH ECA SECRETARIAT IN NAIROBI

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PAGE 02 STATE 115898

1. SUMMARY: LOS TEAM LED BY MOORE MET MAY 24 WITH LEGAL

ADVISER OF ECONOMIC COMMISSION FOR AFRICA AND ECA ADVISERS TO PRESENT U.S. POSITIONS ON LOS ISSUES. DEEP SEABEDS REGIME" AND INTEGRITY OF INVESTMENT APPEARED PRINCIPAL PROBLEM AREAS. END SUMMARY.

2. JOHN NORTON MOORE, THE DEPUTY SPECIAL REPRESENTATIVE OF THE PRESIDENT FOR LOS CONFERENCE, ESKIN AND DUGGER MET WITH AKAWUMI, ECA LEGAL ADVISER (NIGERIA), AND ECONOMIC ADVISERS WASAWA (KENYA), COKER (NIGERIA), AND LARDNER (SIERRA LEONE). AKAWUMI STATED ECA HAS LEFT LOS TO OAU EXPERTS BUT WAS PLANNING ON BECOMING INVOLVED AND NEEDED INFORMATION. MOORE DESCRIBED ESSENTIAL FEATURES NEGOTIATIONS EMPHASIZING IMPORTANCE EARLY AGREEMENT, PROSPECTS FOR TREATY PACKAGE, ECONOMIC INTERESTS IN FREEDOM OF NAVIGATION, NATURE OF RESOURCE ZONE, INTEGRITY OF INVESTMENT AND NATURE AND ANTICIPATED BENEFITS OF SEABED REGIME. ECA ADVISERS INTERESTED AND APPRECIATIVE. GENERAL DISCUSSION FOCUSED ON INTEGRITY OF INVESTMENTS AND DEEP SEABEDS.

3. INTEGRITY OF INVESTMENTS. AWAKUMI DECLARED INVESTMENT CLIMATE CHANGING WORLD-WIDE AND MANY STATES QUESTION PUTTING INTO INTERNATIONAL TREATY PRINCIPLES ESTABLISHING RELATION-

SHIP BETWEEN STATES AND PRIVATE FIRMS. OTHER ADVISERS QUESTIONED EQUALITY OF STATES AND FOREIGN FIRMS IN BAR-GAINING WHEN CONTRACTS MADE AND ARGUED MANY RESOURCE EXPLOITATION AGREEMENTS DESERVED TO BE RENEGOTIATED. THEY ACKNOWLEDGED THAT STABLE INVESTMENT CLIMATE RESULTED IN HIGHER RETURNS TO STATES BUT VIEWED PRINCIPLE AS ONE UNLIKELY TO GAIN BROAD ACCEPTANCE.

4. DEEP SEABEDS. FOLLOWING TEAM PRESENTATION VIGOROUS DISCUSSION ENSUED OF WHAT WAS OBVIOUSLY UNFAMILIAR ISSUE. WASAWA ARGUED THAT NO SEABED EXPLOITATION SHOULD BE PERMITTED UNTIL LAND SOURCES DEPLETED, AS WASTEFUL EXPLOITATION MIGHT BE ENCOURAGED. THIS SEEMED, HOWEVER, TO BE VIEW OF ONLY ONE ECA MEMBER AND OTHERS SEEMED REALIZE IMPRACTICALITY THIS ARRANGEMENT. ADVISERS ALSO CONCERNED ABOUT FALLING MARKET PRICES FOR LDC PRODUCTION. AFTER INEVITABILITY OF EXPLOITATION, WITH OR WITHOUT INTERNATIONAL REGIME, EXPLAINED TOGETHER WITH MARKET PRICE PROSPECTS
CONFIDENTIAL

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PAGE 03 STATE 115898

AND POSSIBLE ADJUSTMENT ASSISTANCE, ADVISERS TURNED TO CONSTRUCTIVE EFFORT TO FIND WAYS FOR GREATER LDC PARTICIPATION. AWAKUMI AT CONCLUSION OF DISCUSSION COMMENTED THAT SINCE EXPLOITATION BOUND TO COME LDC'S SHOULD FIND WAYS TO GET FULL SHARE OF BENEFITS -- IMPLYING THAT THEY SHOULD CONCENTRATE ON REVENUE SHARING RATHER THAN STRUCTURAL ASPECTS OF REGIME AND MACHINERY.

COMMENT: ECA IS AN ADVISORY BODY TO MEMBER GOVERNMENTS. TALKS WERE CORDIAL AND SEEMED TO HAVE HELPED INFORM ECA TEAM. AS TEAM HAS EXPERIENCED ELSEWHERE, THE MOST EFFECTIVE ARGUMENT ON DEEP SEABEDS SEEMS TO BE CANDID APPROACH EXPLAINING POLITICAL REALITY ON DEEP SEABEDS REGIME. ECA TEAM SEEMED APPRECIATE CANDOR AND THIS APPROACH SEEMED HAVE GREATEST EFFECT IN MODERATING ECA POSITION. APPROACH, HOWEVER, ALSO COUPLED WITH ARGUMENTS AS TO WHY U.S. APPROACH ALSO IN BEST INTERESTS AFRICAN AND LDC COUNTRIES.

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